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10/591,541	09/01/2006	Miklos Jobbagy	84.1011	4818

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EXAMINER
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ART UNIT	PAPER NUMBER
2431	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/591,541	JOBBAGY ET AL.
Office Action Summary	Examiner	Art Unit	
	BRYAN WRIGHT	2431	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 January 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>5-8</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>5-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is response to Amendment filed 1/15/2009. Claims (5-8) are

pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

2.   Claims 5-8 rejected under 35 U.S.C. 103(a) as being unpatentable over

Sasmazel (European Patent Application 1328101 A2 (cited from IDS)) in view of

Zeildler (US Patent No. 4,578,530 (cited from IDS)).

3.   . As to claim 5, Sasmazel teaches a set of equipment for secure direct

information transfer over an Internet, comprising information transmitting terminal

devices for collaborating with an information forwarding network and for taking

part in information traffic [fig. 1], each information transmitting terminal device

comprising a sender partial unit (i.e., ... teaches a end units [110, fig. 1], a

receiver partial unit and a storage partial unit (i.e., ...teaches a call complex

receives request [col. 8, lines 23-32] ... further teaches complex retrieves from

memory [col. 5, lines 35-45];

where said storage partial unit comprises an D-register containing a

device identification signal (i.e., ... teaches a request containing a terminal id and

IP address code [col. 11, lines 1-10] ... further teaches a call complex

determining if the IP address of the end unit has been previous registered [col.

12, lines 5-15. Those skill in the art would recognize determining if the IP address

has previously been registered evolves the IP address having been previously

stored), a C-register for storing a coding key (i.e., ... teaches retrieves from

memory a public key [col. 8, lines 35-45]), and a D-register for storing a decoding

key (i.e., ... teaches decrypting a request with retrieve public key from memory

[col. 8, lines 35-45]); where the C-register storing the coding key is connected to

the sender partial unit [fig. 1], and a respective coding key and a respective

collaborating decoding key are allocated to a corresponding information

transmitting terminal device (i.e., ... teaches a session key and public key

corresponding with end unit [col. 8, lines 40-43]); where the storage partial unit of

each information transmitting terminal device includes at least one temporary

storage register for the temporary storage of the coding keys of other information

transmitting terminal devices (i.e., ... teaches a end unit 2 decrypting the

incoming buffering col. 11, lines 20-30]); where the information forwarding

network includes at least one central traffic coordinating unit (i.e., call complex)

having an MD-register for storing a master decoding key and a memory unit

including base cells for storing the coding keys belonging to the information

transmitting terminal devices (i.e .... teaches a call complex [102, fig. 102] ...

teaches the call complex determines if the IP address has been previously

registered, if IP address is not register the request is dropped [col. 12, lines 10-20] ... teaches a call complex maintains a session key .... teaches a call complex maintains a public key associated with a end unit [col. 8, lines 35-45]);

where a master coding key collaborating with the master decoding key is allocated to the central traffic coordinating unit (i.e., ... teaches public key used for decrypting [col. 8, lines 39- 41]), and the C-registers of the information transmitting terminal devices (i.e., end unit) are provided with a master coding key collaborating with the master decoding key stored in the MD- register of the central traffic coordinating unit (i.e., call complex) (i.e., ... teaches the selection and distribution of a session key by call center [col. 2, lines 30-40]);

where, in the storage partial unit of a first information transmitting terminal device, there is only information free from the coding key of the first information transmitting terminal device [col. 8, lines 15-25], while only the coding key of a second information transmitting terminal device (i.e., end unit) participating in an information exchange is temporarily stored in the temporary storage register of the first information transmitting terminal device [col. 11, lines 35-45];

and where only the coding key of the first information transmitting terminal device (i.e., end unit) participating in the information exchange is temporarily stored in the temporary storage register of the second information transmitting terminal device (i.e., ... teaches end unit 2 receives a packet in its incoming buffer and decrypts with end unit to end unit session key [col. 11, lines 35-45]);

whereby, for the duration of actual information exchange, the first information transmitting terminal device (i.e., end unit 1) and the second

information transmitting terminal device (i.e., end unit 2) are directly linked to one another so that data flow without the mediation of the central traffic coordinating unit is provided (i.e., ... teaches a communication exchange between end unit 1 and end unit 2 comprises encrypted voice packets [col. 11, lines 35-40].

Sasmazel does not expressly teach the claim limitation elements:

      a receiver partial unit and a storage partial unit,

      a terminal device containing a D-register and C-register,

      a storage partial unit of each transmitting terminal device which includes at least one temporary storage register for the temporary storage of coding keys of other transmitting terminal devices,

      temporary storage registers of transmitting terminal devices connected to a sender partial unit,

However, these features are well known in the art and would have been an obvious modification of the system disclosed by Sasmazel as introduced by Zeidler. Zeidler discloses:

      a receiver partial unit and a storage partial unit (to provide a receiver storage means and separate storage capability [fig. 3]),

      a terminal device containing a D-register and C-register (to provide a separate storage location for decryption key (e.g., decoding key) and encryption key (e.g., coding key) [fig. 3; 78, fig. 5]),

a storage partial unit of each transmitting terminal device which includes at
least one temporary storage register for the temporary storage of coding keys of
other transmitting terminal devices (to provide the encryption key (e.g. coding
key) storage capability [78, fig. 5],

temporary storage registers (e.g., Active transaction table) of transmitting
terminal devices connected to a sender (e.g., forwarding) partial unit (to provide
temporary storage means connected sending means [81, fig. 5],

Therefore, given the teachings of Zeidler, a person having ordinary skill in the art
at the time of the invention would have recognized the desirability and advantage
of modifying Sasmazel by employing the well known feature of encryption and
decryption separate storage means disclosed above by Zeidler, for which
information transferring over the internet will be enhanced (fig. 5).

4.   As to claim 6, Sasmazel teaches a set of equipment where the temporary
storage registers of the information transmitting terminal devices are connected
to the sender partial unit [fig. 1; fig. 2; fig. 3].

5.   As to claim 7, Sasmazel teaches a set of equipment where the central
traffic coordinating unit (i.e., call complex) is provided with an MC-register
for storing a master coding key (i.e., .. teaches the call complex is equipped with
memory [col. 5, lines 28-41] ... further teaches the call complex retrieves from
memory a public key [col. 8, lines 35-45]).

6.   As to claim 8, Sasmazel teaches a set of equipment where the central

traffic coordinating unit is provided with an MC-register for storing a master

coding key (i.e., .. teaches call complex [fig. 1] ... teaches a call complex

determines if end unit IP address has been previously registered .... teaches if

end unit IP address is not registered request is dropped [col. 12, lines 10-20] ...

teaches a call complex maintaining in memory a session key and a public key

[col. 8, lines 35-45] and [col. 2, lines 20-25]).

Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        a.   Lampson et al. (US Patent No. 5,161,193)

        b.   Fransdonk (US Patent Publication No. 2003/0163684)

Response to Arguments

        Applicant's arguments, see Applicant's Remarks, filed 1/15/2009, with

respect to the rejection(s) of claim(s) 5-8 have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made under Sasmazel in view of

Zeidler.

        With regards to applicant's argument on pages 2-5, Examiner contends

that applicant remarks presented on each respected page are purely subjective

commentary provided by applicant. As such the Examiner will not consider the subject matter presented in the remarks.

With regards to applicant alleging that Sasmazel is deficient in teaching the claim limitation of a receiver partial storage, and a storage partial unit, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides for a terminal unit with bi-directional communication capability such that when the terminal acts as a receiver, input data is buffered in to memory (e.g. receiver partial storage) [34, fig. 3]. Further Zeidler provides table storage (e.g., storage partial unit) of unique data items [34, fig. 3].

With regards to applicant alleging that Sasmazel is deficient in teaching the claim limitation element of, "a storage partial unit in a transmitting terminal device includes a D-register containing a device identical signal", Examiner contends per applicant's claim language in claim 5 for which reads "an ID-register containing a device identification signal", Examiner respectfully submit applicant is arguing subject matter for which is not claimed and therefore the Examiner will not consider said remark.

With regards to applicant alleging that Sasmazel is deficient in teaching a D-register, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides for separate storage location of a master key for decryption purposes [54, fig. 3]. Examiner respectfully submits applicant's D-register is merely a separate location for storing a decoding key for which is equivalent to Zeidler teachings of a master key element storage [fig. 3].

With regards to applicant alleging that Sasmazel contains a C-register however such storage means is not connected to a sender partial unit or a end unit, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides for a terminal device (e.g., end unit) with a session key (e.g., coding key) [fig. 5].

With regards to applicant alleging that Sasmazel is deficient in teaching a storage partial unit of each transmitting terminal device which includes at least one temporary storage register for the temporary storage of coding keys of other transmitting terminal devices, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides for storage means for pre-encrypted session keys [78, fig. 5].

With regards to applicant alleging that Sasmazel is deficient in teaching is teaching a D-register and C-register, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides storage means for decryption key and encryption key [fig. 3; fig. 5].

With regards to applicant alleging that Sasmazel is deficient in teaching a temporary storage registers of transmitting terminal devices connected to a sender partial unit, Examiner contends the teaching modification of Sasmazel with the teachings of Zeidler provides storage register (e.g., Active Transaction table) of a terminal device connected to a sender partial unit (e.g., forwarding capability) [fig. 5].

Contact Information

     Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

     Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2431

                    /Ayaz R. Sheikh/
          Supervisory Patent Examiner, Art Unit 2431